

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-10861-VSB-SDA**

Southern Poverty Law Center et al v. United States Department of Justice et al

Assigned to: Judge Vernon S. Broderick

Referred to: Magistrate Judge Stewart D. Aaron

Cause: 05:552 Freedom of Information Act

Date Filed: 11/20/2018

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

Southern Poverty Law Center

represented by **David Carter Dinielli**
Southern Poverty Law Center
400 Washington Avenue
Montgomery, AL 36104
323-547-6325
Email: david.dinielli@splcenter.org
ATTORNEY TO BE NOTICED

Diego Armando Soto
Southern Poverty Law Center
400 Washington Avenue
Montgomery, AL 36104
334-956-8427
Fax: 334-956-8481
Email: diego.soto@splcenter.org
ATTORNEY TO BE NOTICED

Matthew James Dolan
Sidley Austin LLP
Building 1
Palo Alto, CA 94304
650-565-7000
Fax: 650-565-7100
Email: mdolan@sidley.com
ATTORNEY TO BE NOTICED

Plaintiff

Lambda Legal Defense and Education Fund, Inc.

represented by **Richard Saenz**
Lambda Legal
120 Wall St., 19th Fl.
New York, NY 10005
(212) 809-8585
Fax: (212) 809-0055
Email: rsaenz@lambdalegal.org
ATTORNEY TO BE NOTICED

Matthew James Dolan
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Justice

represented by **Tomoko Onozawa**
U.S. Attorney's Office, SDNY (Chambers Street)
86 Chambers Street
New York, NY 10007
(212) 637-2721

Fax: (212) 637- 2686
Email: tomoko.onozawa@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Federal Bureau of Prisons

represented by **Tomoko Onozawa**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/20/2018	<u>1</u>	COMPLAINT against Federal Bureau of Prisons, United States Department of Justice. (Filing Fee \$ 400.00, Receipt Number ANYSDC-15940263) Document filed by Southern Poverty Law Center, Lambda Legal Defense and Education Fund, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13)(Dolan, Matthew) (Entered: 11/20/2018)
11/20/2018	<u>2</u>	CIVIL COVER SHEET filed. (Dolan, Matthew) (Entered: 11/20/2018)
11/20/2018	<u>3</u>	REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of Justice, re: <u>1</u> Complaint,. Document filed by Lambda Legal Defense and Education Fund, Inc., Southern Poverty Law Center. (Dolan, Matthew) (Entered: 11/20/2018)
11/20/2018	<u>4</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Federal Bureau of Prisons, re: <u>1</u> Complaint,. Document filed by Lambda Legal Defense and Education Fund, Inc., Southern Poverty Law Center. (Dolan, Matthew) (Entered: 11/20/2018)
11/20/2018	<u>5</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Lambda Legal Defense and Education Fund, Inc., Southern Poverty Law Center.(Dolan, Matthew) (Entered: 11/20/2018)
11/21/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Robert W. Sweet. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (sj) (Entered: 11/21/2018)
11/21/2018		Magistrate Judge Stewart D. Aaron is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (sj) (Entered: 11/21/2018)
11/21/2018		Case Designated ECF. (sj) (Entered: 11/21/2018)
11/21/2018	<u>6</u>	ELECTRONIC SUMMONS ISSUED as to Federal Bureau of Prisons. (sj) (Entered: 11/21/2018)
11/21/2018	<u>7</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Justice. (sj) (Entered: 11/21/2018)
12/10/2018	<u>8</u>	MOTION for Diego A. Soto to Appear Pro Hac Vice <i>for the Southern Poverty Law Center</i> . Filing fee \$ 200.00, receipt number ANYSDC-16028496. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Southern Poverty Law Center. (Attachments: # <u>1</u> Affidavit of Diego A. Soto, # <u>2</u> Alabama Certificate of Good Standing, # <u>3</u> DC Certificate of Good Standing, # <u>4</u> Text of Proposed Order)(Soto, Diego) (Entered: 12/10/2018)
12/10/2018		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>8</u> MOTION for Diego A. Soto to Appear Pro Hac Vice <i>for the Southern Poverty Law Center</i>. Filing fee \$ 200.00, receipt number ANYSDC-16028496.

		Motion and supporting papers to be reviewed by Clerk's Office staff.</FON. The document has been reviewed and there are no deficiencies. (wb) (Entered: 12/10/2018)
12/10/2018	<u>9</u>	AFFIDAVIT OF SERVICE of Summons in a Civil Action (Federal Bureau of Prisons), Summons in a Civil Action (U.S. Department of Justice), Complaint, Rule 7.1 Statement, Individual Practices of Judge Robert W. Sweet, Individual Practices of Magistrate Judge Stewart D. Aaron served on United States Department of Justice, Federal Bureau of Prisons on December 4, 2018. Service was made by Certified and Registered Mail. Document filed by Lambda Legal Defense and Education Fund, Inc., Southern Poverty Law Center. (Dolan, Matthew) (Entered: 12/10/2018)
12/11/2018	<u>10</u>	NOTICE OF APPEARANCE by Richard Saenz on behalf of Lambda Legal Defense and Education Fund, Inc.. (Saenz, Richard) (Entered: 12/11/2018)
12/13/2018	<u>11</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for David Carter Dinielli to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–16051439. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Southern Poverty Law Center. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order for Admission Pro Hac Vice, # <u>2</u> Affidavit Affidavit of Dinielli, # <u>3</u> Supplement Dinielli Certificate of Good Standing)(Diniell, David) Modified on 12/14/2018 (wb). (Entered: 12/13/2018)
12/14/2018		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice to RE–FILE Document No. <u>11</u> MOTION for David Carter Dinielli to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC–16051439. Motion and supporting papers to be reviewed by Clerk's Office staff... The filing is deficient for the following reason(s): missing Certificate of Good Standing from Supreme Court of California;. Re–file the motion as a Motion to Appear Pro Hac Vice – attach the correct signed PDF – select the correct named filer/filers – attach valid Certificates of Good Standing issued within the past 30 days – attach Proposed Order.. (wb) (Entered: 12/14/2018)
12/17/2018	<u>12</u>	ORDER FOR ADMISSION PRO HAC VICE granting <u>8</u> Motion for Diego A. Soto to Appear Pro Hac Vice. (Signed by Judge Robert W. Sweet on 12/13/2018) (rro) (Entered: 12/17/2018)
12/27/2018	<u>16</u>	STANDING ORDER M10–468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (mro) (Entered: 01/02/2019)
12/27/2018	<u>18</u>	STANDING ORDER M10–468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) (Signed by Judge Colleen McMahon on 12/27/2018) (mro) (Entered: 01/07/2019)
12/27/2018		Case Stayed (mro) (Entered: 01/14/2019)
12/28/2018	<u>13</u>	NOTICE OF APPEARANCE by Tomoko Onozawa on behalf of United States Department of Justice. (Onozawa, Tomoko) (Entered: 12/28/2018)
12/28/2018	<u>14</u>	NOTICE OF APPEARANCE by Tomoko Onozawa on behalf of Federal Bureau of Prisons. (Onozawa, Tomoko) (Entered: 12/28/2018)
12/28/2018	<u>15</u>	LETTER MOTION to Stay addressed to Judge Robert W. Sweet from AUSA Tomoko Onozawa dated 12/28/2018. Document filed by Federal Bureau of Prisons, United States Department of Justice. (Attachments: # <u>1</u> Exhibit A)(Onozawa, Tomoko) (Entered: 12/28/2018)
01/03/2019	<u>17</u>	ORDER granting <u>15</u> Letter Motion to Stay. So ordered. (Signed by Judge Robert W. Sweet on 1/3/2019) (rro) (Entered: 01/03/2019)
02/04/2019	<u>19</u>	MOTION for David Carter Dinielli to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Southern Poverty Law Center. (Attachments: # <u>1</u> Affidavit Affidavit of David C. Dinielli in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Certificate of Good Standing for David C. Dinielli from Supreme Court of CA, # <u>3</u> Text of Proposed Order Proposed Order for

		Admission Pro Hac Vice of David C. Dinielli)(Dinielli, David) (Entered: 02/04/2019)
02/04/2019		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>19</u> MOTION for David Carter Dinielli to Appear Pro Hac Vice . Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (jc) (Entered: 02/04/2019)
02/05/2019	<u>20</u>	LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint, addressed to Judge Robert W. Sweet from AUSA Tomoko Onozawa dated 2/5/2019. Document filed by Federal Bureau of Prisons, United States Department of Justice.(Onozawa, Tomoko) (Entered: 02/05/2019)
02/06/2019	<u>21</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>19</u> Motion for David C. Dinielli to Appear Pro Hac Vice. IT IS HEREBY ORDERED that Applicant is admitted to practice Pro Hac Vice in the above captioned case in the United States District Court for the Southern District of New York. So Ordered (Signed by Judge Robert W. Sweet on 2/5/2019) (js) (Entered: 02/06/2019)
02/06/2019	<u>22</u>	ORDER granting <u>20</u> Letter Motion for Extension of Time to Answer. So Ordered. Federal Bureau of Prisons answer due 2/19/2019; United States Department of Justice answer due 2/19/2019 (Signed by Judge Robert W. Sweet on 2/6/2019) (cf) (Entered: 02/06/2019)
02/19/2019	<u>23</u>	ANSWER to <u>1</u> Complaint,. Document filed by Federal Bureau of Prisons, United States Department of Justice.(Onozawa, Tomoko) (Entered: 02/19/2019)
03/07/2019	<u>24</u>	PRETRIAL ORDER: Counsel are directed to appear in courtroom 18Con 6/4/19 at 12 p.m., for a pretrial conference for the purpose of discussing settlement with the Court, and as further set forth in this Order. It is so ordered. (Pretrial Conference set for 6/4/2019 at 12:00 PM in Courtroom 18C, 500 Pearl Street, New York, NY 10007 before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 3/7/2019) (jca) (Entered: 03/07/2019)
03/27/2019	<u>25</u>	DIRECTION TO THE BAR AND INTERIM ORDER OF REFERENCE: The Hon. Robert W. Sweet of this court having died on March 24, 2019; and Time being needed in order to effect the reassignment of the cases on his docket: IT IS HEREBY ORDERED THAT, pending the reassignment of Judge Sweet's civil cases, all urgent matters should be taken either to the Magistrate Judge who is assigned to the case or to the District Judge sitting in Part I. In cases in which Judge Sweet did not sign an order of reference, this order operates as an interim order of reference to the Magistrate Judge for interim pre-trial supervision. Routine case management requests (such as, for extension of time) should be directed to the Magistrate Judge, not to the Part I Judge. Referred to Magistrate Judge Stewart D. Aaron. (Signed by Judge Colleen McMahon on 3/27/2019) (mro) (Entered: 03/29/2019)
04/08/2019		NOTICE OF CASE REASSIGNMENT to Judge Vernon S. Broderick. Judge Robert W. Sweet is no longer assigned to the case. (sjo) (Entered: 04/08/2019)
04/08/2019	<u>26</u>	ORDER: As Counsel may be aware, this case was recently reassigned to me for all purposes. It is hereby: ORDERED that the previously initial pretrial conference is adjourned from June 4, 2019 to June 21, 2019 at 10:30 a.m. That conference will be held in Courtroom 518 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York and further set forth in this Order. (Initial Conference set for 6/21/2019 at 10:30 AM in Courtroom 518, 40 Centre Street, New York, NY 10007 before Judge Vernon S. Broderick.) (Signed by Judge Vernon S. Broderick on 4/8/2019) (rro) (Entered: 04/08/2019)
06/14/2019	<u>27</u>	JOINT PRE-CONFERENCE STATEMENT <i>and request to adjourn initial conference</i> . Document filed by Federal Bureau of Prisons, United States Department of Justice.(Onozawa, Tomoko) (Entered: 06/14/2019)
06/17/2019	<u>28</u>	MEMO ENDORSEMENT on re: <u>27</u> Pre-Conference Statement filed by United States Department of Justice, Federal Bureau of Prisons. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. The initial pretrial conference scheduled for June 21, 2019 is adjourned sine die. By July 30, 2019, the parties shall provide a joint status update containing their agreed-upon schedule for conducting searches and producing responsive records. (Signed by Judge Vernon S. Broderick on 6/17/2019) (rro)

		(Entered: 06/17/2019)
07/30/2019	<u>29</u>	LETTER MOTION for Extension of Time to File <i>Joint Status Letter</i> addressed to Judge Vernon S. Broderick from AUSA Tomoko Onozawa dated 7/30/2019. Document filed by Federal Bureau of Prisons, United States Department of Justice.(Onozawa, Tomoko) (Entered: 07/30/2019)
07/31/2019	<u>30</u>	ORDER granting <u>29</u> Letter Motion for Extension of Time to File. APPLICATION GRANTED. (Signed by Judge Vernon S. Broderick on 7/31/2019) (mro) (Entered: 07/31/2019)
08/06/2019	<u>31</u>	STATUS REPORT. Document filed by Federal Bureau of Prisons, United States Department of Justice.(Onozawa, Tomoko) (Entered: 08/06/2019)